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Attorneys for Defendants THE AMERICAN  
SOCIETY FOR REPRODUCTIVE  
MEDICINE and SOCIETY FOR ASSISTED  
REPRODUCTIVE TECHNOLOGY

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

**SAN JOSE DIVISION**

OPTIONS NATIONAL FERTILITY  
REGISTRY, a California Corporation, and  
JESSICA and class of plaintiffs believed to be  
similarly situated (women egg donors whose  
eggs were allegedly given to unknown and  
unauthorized recipients via "egg sharing"  
without their informed consent, in violation of  
an existing legally binding contract),

Plaintiffs,

vs.

THE AMERICAN SOCIETY FOR  
REPRODUCTIVE MEDICINE; SOCIETY  
FOR ASSISTED REPRODUCTIVE  
TECHNOLOGY; DOES 1 through 102  
(REGISTERED INFERTILITY  
PHYSICIANS) AND DOES 103 through 1500  
(FERTILITY CLINICS AND ASSOCIATED  
PROFESSIONAL DEFENDANTS),

Defendants.

Case No. C 07 5238 JF

Complaint Filed: October 12, 2007

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF DEFENDANTS  
AMERICAN SOCIETY OF  
REPRODUCTIVE MEDICINE'S AND  
SOCIETY FOR ASSISTED  
REPRODUCTIVE TECHNOLOGY'S  
MOTION TO DISMISS PLAINTIFFS'  
COMPLAINT FOR LACK OF SUBJECT  
MATTER JURISDICTION (FRCP  
12(b)(1)) OR ALTERNATIVELY,  
MOTION TO DISMISS FIRST, SECOND,  
AND THIRD CAUSES OF ACTION FOR  
FAILURE TO STATE A CLAIM (FRCP  
12(b)(6)) and MOTION TO DISMISS  
CLASS CLAIMS (FRCP 12(b)(6)) OR  
STRIKE CLASS ALLEGATIONS (FRCP  
12(f))**

Date: July 11, 2008

Time: 9:00 a.m.

Ctrm.: 3

Trial Date: None.

585586.1

**REQ. FOR JUDICIAL NOTICE - DEFS' MOT. TO DISMISS PLAINTIFFS' COMPLAINT FOR LACK OF  
SUBJECT MATTER JURIS. OR ALT., MOT. TO DISMISS 1ST, 2ND, & 3RD C/A FOR FAILURE TO  
STATE A CLAIM and MOT. TO DISMISS CLASS CLAIMS OR STRIKE CLASS ALLEGATIONS**

1 Pursuant to Rule 201 of the Federal Rules of Evidence, defendants American  
2 Society for Reproductive Medicine and Society for Assisted Reproductive Technology hereby  
3 request that the court take judicial notice of the following facts:

4 1. Options National Fertility Registry is a California corporation. A true and  
5 correct copy of the search result from the California Secretary of State website showing that  
6 Options National Fertility Registry is a California corporation is attached hereto and incorporated  
7 herein as **Exhibit A**.

8 2. American Society for Reproductive Medicine is a California corporation. A  
9 true and correct copy of the search result from the California Secretary of State website showing  
10 that American Society for Reproductive Medicine is a California corporation is attached hereto  
11 and incorporated herein as **Exhibit B**.

12  
13 DATED: May 9, 2008

MUSICK, PEELER & GARRETT LLP

14  
15 By: 

Catherine M. Lee  
Attorneys for Defendants THE AMERICAN  
SOCIETY FOR REPRODUCTIVE  
MEDICINE and SOCIETY FOR ASSISTED  
REPRODUCTIVE TECHNOLOGY

**EXHIBIT A**



**DISCLAIMER:** The information displayed here is current as of APR 25, 2008 and is updated weekly. It is not a complete or certified record of the Corporation.

Corporation		
OPTIONS NATIONAL FERTILITY REGISTRY		
<b>Number:</b> C1751815	<b>Date Filed:</b> 10/5/1994	<b>Status:</b> active
<b>Jurisdiction:</b> California		
Address		
PO BOX 6209		
GARDEN GROVE, CA 92846		
Agent for Service of Process		
ROBERT MITTECO		
425 ELMHURST PL		
FULLERTON, CA 92835-3513		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.

**EXHIBIT B**



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Corporation		
AMERICAN SOCIETY FOR REPRODUCTIVE MEDICINE		
<b>Number:</b> C0214694	<b>Date Filed:</b> 3/4/1947	<b>Status:</b> active
<b>Jurisdiction:</b> California		
Address		
1209 MONTGOMERY HWY		
BIRMINGHAM, AL 35216		
Agent for Service of Process		
NATIONAL REGISTERED AGENTS, IN C.		
2030 MAIN STREET STE 1030		
IRVINE, CA 92614		

Blank fields indicate the information is not contained in the computer file.

If the status of the corporation is "Surrender", the agent for service of process is automatically revoked. Please refer to California Corporations Code Section 2114 for information relating to service upon corporations that have surrendered.